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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D24A/0259/WEB**

**Appeal** by Robert Hussey and Sonia Getty care of Bright Design Architects of 4 Seafield Park, Booterstown, County Dublin against the decision made on the 12<sup>th</sup> day of June 2024 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of existing single-storey structures to rear of existing dwelling, including boiler house, alterations to the return extension, including enlargement of existing openings to the sides and new opening to the rear, enlargement of existing openings to the rear elevation of the main dwelling, two number rooflights to the rear roof slope, construction of single-storey extension to the rear of existing dwelling, including new stairs and new terrace with associated private screens and all associated alterations, demolitions, site, drainage, landscaping and ancillary works, all at 18 Mellifont Avenue, Dun Laoghaire, County Dublin.

**Decision**

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant

application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2(a)(b) and (c) and the reasons therefor.

## Reasons and Considerations

The proposed development is located in an area where the applicable zoning objective in the Dún Laoghaire-Rathdown County Development Plan 2022-2028 is 'A' which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities', and within the Haigh Terrace to Park Road Architectural Conservation Area (ACA). Having regard to the nature, scale and extent of the proposed development, the pattern of development in the Architectural Conservation Area, including the terraced character of the streetscape, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of Condition number 2(a)(b) and (c), is reasonable. The proposed development, in the absence of this condition, would give rise to a development that would injure the existing residential amenities of neighbouring property, would set an undesirable precedent for other similar developments and would not be consistent with the protection of the character and special interest of an area which has been designated an Architectural Conservation Area.

  
Declan Moore

Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.



Dated this 14<sup>th</sup> day of November 2024.